

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
_____ v.	:	DATE FILED: _____
CARIN WHEELER	:	VIOLETIONS: 18 U.S.C. § 1951 (conspiracy to interfere with interstate commerce by robbery - 1 count) 18 U.S.C. § 1951 (interference with interstate commerce by robbery - 2 counts) 18 U.S.C. § 924(c)(1) (use of a firearm during a crime of violence - 2 counts) 18 U.S.C. § 2 (aiding and abetting) Notice of additional factors

I N D I C T M E N T

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this Indictment:

1. Burger King, 340 North Oxford Valley Road, Langhorne, Pennsylvania, was a business engaged in interstate commerce.

2. Burger King, 1721 Street Road, Bensalem, Pennsylvania, was a business engaged in interstate commerce.

THE ROBBERY CONSPIRACY

3. Between on or about June 24, 2003 and on or about June 26, 2003, at Langhorne and Bensalem, in the Eastern District

of Pennsylvania, defendant

CARIN WHEELER

conspired and agreed with others known to the grand jury to commit robbery, which robbery would unlawfully obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, in that defendant CARIN WHEELER and others known to the grand jury conspired to unlawfully take and obtain money from the presence of employees of those businesses against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, all in violation of Title 18, United States Code, Sections 1951(a), 1951(b)(1) and 1951(b)(3).

MANNER AND MEANS

4. It was part of the conspiracy that defendant CARIN WHEELER and others known to the grand jury robbed Burger King restaurants and obtained the cash proceeds from these businesses by use of force, threats of force and violence, and through the use of firearms.

OVERT ACTS

In furtherance of this conspiracy, in the Eastern District of Pennsylvania, defendant CARIN WHEELER and others

known to the grand jury committed the following overt acts:

Robbery of Burger King, Langhorne, PA, on June 24, 2003

1. Defendant CARIN WHEELER and other persons known to the grand jury traveled to the Burger King restaurant, 340 North Oxford Valley Road, Langhorne, Pennsylvania, armed with firearms.

2. Defendant CARIN WHEELER entered through the rear door of the Burger King after another person known to the grand jury forced a female employee, at gunpoint, to get another employee to open the door.

3. Defendant CARIN WHEELER took money out of the safe of the Burger King after another person known to the grand jury threatened and pistol-whipped an employee to get him to open the safe.

4. Defendant CARIN WHEELER took money belonging to the Burger King out of a cabinet.

5. Defendant CARIN WHEELER and another person known to the grand jury fled from the Burger King to a getaway car driven by another person known to the grand jury.

6. Defendant CARIN WHEELER and other persons known to the grand jury split up the money stolen from the Burger King.

Robbery of Burger King, Bensalem, PA on June 26, 2003

7. Defendant CARIN WHEELER and other persons known to

the grand jury traveled to the Burger King restaurant, 1721 Street Road, Bensalem, Pennsylvania, armed with firearms.

8. Defendant CARIN WHEELER entered through the rear door of the Burger King after another person known to the grand jury forced a female employee into the restaurant, at gunpoint, and had her open the back door.

9. Other persons known to the grand jury forced the employee to open the safe at gunpoint, took money out of the safe, and restrained the employee with tape.

10. Defendant CARIN WHEELER and other persons known to the grand jury fled from the Burger King to a getaway car.

11. Defendant CARIN WHEELER and other persons known to the grand jury split up the money stolen from the Burger King.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 1 of Count One is realleged here.

2. On or about June 24, 2003, at Langhorne, in the Eastern District of Pennsylvania, defendant

CARIN WHEELER

obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendant unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of money, that is, approximately \$3,926 United States currency, belonging to Burger King, from employees, against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, that is by pointing firearms at them and demanding money.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 24, 2003, at Langhorne, in the Eastern

District of Pennsylvania, defendant

CARIN WHEELER

knowingly used and carried, and aided and abetted the use and carrying of, firearms, that is, handguns, during and in relation to a crime of violence for which the defendant may be prosecuted in a court of the United States, that is, conspiracy to interfere with interstate commerce by robbery, and the interference with interstate commerce by robbery, of Burger King, in violation of Title 18, United States Code, Section 1951.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 2 of Count One is realleged here.
2. On or about June 26, 2003, at Bensalem, in the

Eastern District of Pennsylvania, defendant

CARIN WHEELER

obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendant unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of money, that is, approximately \$2,000 United States currency, belonging to Burger King, from an employee, against her will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to her person and property, that is by pointing firearms at her and demanding money.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 26, 2003, at Bensalem, in the Eastern District of Pennsylvania, defendant

CARIN WHEELER

knowingly used and carried, and aided and abetted the use and carrying of, firearms, that is, handguns, during and in relation to a crime of violence for which the defendant may be prosecuted in a court of the United States, that is, conspiracy to interfere with interstate commerce by robbery, and the interference with interstate commerce by robbery, of Burger King, in violation of Title 18, United States Code, Section 1951.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

NOTICE OF ADDITIONAL FACTORS

____1. In committing and aiding and abetting the commission of the offenses charged in Counts One and Two of this indictment, defendant CARIN WHEELER physically restrained victims, as described in U.S.S.G. § 3A1.3.

____2. In committing and aiding and abetting the commission of

the offenses charged in Counts One and Two of this indictment,
defendant CARIN WHEELER committed bodily injury against a victim,
as described in U.S.S.G. § 2B3.1(b)(3)(A).

____3. In committing and aiding and abetting the commission of
the offenses charged in Counts One and Four of this indictment,
defendant CARIN WHEELER physically restrained victims, as
described in U.S.S.G. § 3A1.3.

A TRUE BILL:

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
United States Attorney